

United States District Court
Northern District of California

UNITED STATES OF AMERICA,
Plaintiff,
v.
FROYLAN SANCHEZ,
Defendant.

Case No. 19-cr-00700-RS-1

ORDER DENYING FIFTH MOTION TO REDUCE SENTENCE

In July of 2021, defendant Froylan Sanchez was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 84 months, based on his guilty plea to four counts of distribution of methamphetamine and cocaine. In April of 2022, Sanchez filed a “motion for compassionate release,” based on alleged medical conditions and the impact of the COVID-19 pandemic. That motion was denied both for failure to exhaust administrative remedies and on the merits. See Dkt. No. 124.

In July of 2022, Sanchez brought a second motion seeking essentially the same relief, on substantially the same grounds, although it appeared he might have by then exhausted his administrative remedies. The motion was also denied. See Dkt. No. 126.

In March of 2023, Sanchez filed a motion that did not clearly set out the nature of the relief sought, but which, liberally construed, could be deemed an attempt to supplement or renew his prior motion(s) for compassionate release, or to seek reconsideration of the prior rulings in this action. That motion was also denied, albeit without prejudice to any claims Sanchez in good faith

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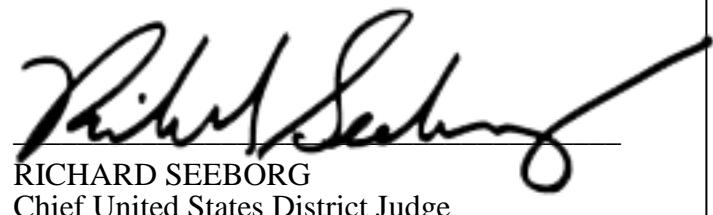
1 might pursue in one or more separate civil actions relating to an alleged use of excessive force by
2 a Napa Sheriff's deputy and/or alleged inadequacy of medical treatment at the facility where he is
3 incarcerated. See Dkt. No. 131.

4 On August 11, 2023, Sanchez filed another motion for "reduction in sentence." That
5 motion was denied by order entered August 16, 2023. Now pending is yet another motion mailed
6 to the court in an envelope postmarked on August 28, 2023. The current motion is substantively
7 identical to the prior motions and is denied for the same reasons set out in the prior orders.

8 The docket indicates that copies of at least two of the orders denying Sanchez' prior
9 motions were returned as "undeliverable." It may be that Sanchez submitted the present motion
10 believing no action had been taken on his prior motion. The U.S. Attorney's office has submitted a
11 letter asserting it has taken steps to ensure Sanchez receives the court's prior and any future
12 orders. The efforts of the U.S. Attorney are appreciated. Assuming Sanchez receives this and prior
13 orders, he is advised he must not file any new motion for early release absent a meaningful change
14 in circumstances.

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16 **IT IS SO ORDERED.**

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18 Dated: September 5, 2023



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20 RICHARD SEEBORG
Chief United States District Judge

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